

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CLARENCE EDWARDS,)	
)	
Petitioner,)	
)	
v.)	Civ.Act.No. 08-117-GMS
)	
PERRY PHELPS, Warden)	
and JOSEPH R. BIDEN, III , Attorney)	
General for the State of Delaware)	
)	
Respondents.)	

**MOTION FOR EXTENSION OF TIME TO FILE
CERTIFIED STATE COURT RECORDS**

1. The petitioner, Glen Ducote, has applied for federal habeas relief, alleging two points of error in his State court proceedings. D.I. 2. The undersigned filed an answer to the petition on November 16, 2007. D.I. 13.

2. By the terms of the Court's order, the respondents are directed to attach to the answer certified copies of the state court records material to the questions raised in the petitioner's case.

3. The records germane to petitioner's claims are located in the Kent County Superior Courthouse. Due to his own workload, including daily court appearances in several Delaware courts, counsel for respondents has been unable to travel to that location to retrieve the necessary records.

4. Respondents submit that an extension of time to July 30, 2008 in which to file certified copies of the material portions of the state court records in this case is reasonable. Respondents submit herewith a proposed order.

/s/ Kevin M. Carroll
Deputy Attorney General
Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 577-8500
Del. Bar. ID No. 4836

DATE: June 27, 2008

RULE 7.1.1 CERTIFICATION

I hereby certify that I have neither sought nor obtained the consent of the petitioner, who is incarcerated and appearing *pro se*, to the subject matter of this motion.

/s/ Kevin M. Carroll
Deputy Attorney General

Counsel for Respondents

Date: June 27, 2008

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2008, I electronically filed the attached documents with the Clerk of Court using CM/ECF. I also hereby certify that on June 27, 2008, I have mailed by United States Postal Service, the same documents to the following non-registered participant:

Clarence Edwards
SBI# 158551
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

/s/Kevin M. Carroll
Deputy Attorney General
Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 577-8500
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Kevin.Carroll@state.de.us

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Respondents.)

ORDER

This _____ day of _____, 2008,

WHEREAS, respondents having requested an extension of to file certified state court records, and

WHEREAS, it appearing to the Court that the requested extension is timely made and good cause has been shown for the extension,

IT IS HEREBY ORDERED that respondents' answer shall be filed on or before July 30, 2008.

United States District Judge